

Judge Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JENNIFER JOHNSON and
WILLIAM JOHNSON,

Defendants.

NO. CR03-5463FDB

STIPULATION TO WITHDRAW
CLAIM TO \$3,785.00, THE
FORFEITURE THEREOF,
AND THE RETURN OF THE
TAURUS .40 S&W PISTOL
TO CLAIMANT MOSS AND
ORDER THEREON

It is hereby stipulated by and between Plaintiff, United States of America, by and through its attorney of record, Richard E. Cohen, and Claimant Russell Moss, pro se, as follows:

1. Plaintiff United States of America, and Claimant Russell Moss agree to settle the claim upon the terms indicated below.

2. Claimant Russell Moss has withdrawn his claim to the \$3,785.00 U.S. Currency in a letter to this court, dated February 21, 2004 [sic], a copy of which is attached hereto as Exhibit A.

STIPULATION TO WITHDRAW CLAIM TO \$3,785.00,
THE FORFEITURE THEREOF, AND THE RETURN OF
THE TAURUS .40 S&W PISTOL
TO CLAIMANT MOSS AND ORDER THEREON - 1

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(CR03-5463FDB)

UNITED STATES ATTORNEY
601 UNION STREET, SUITE 5100
SEATTLE, WASHINGTON 98101-3903
(206) 553-7970

1 3. The United States agrees to the return of the Taurus .40 S&W pistol,
2 holster and ammunition to Claimant Russell Moss. Claimant Moss has provided a receipt
3 for the purchase of the pistol as well as the permit for the pistol, and was the registered
4 owner of the Taurus .40 S&W pistol at the time of the seizure.

5 4. Claimant Moss agrees to forfeit the \$3,785.00; to the entry of the Final
6 Order of Forfeiture against the \$3,785.00 and gives up all right, title, and interest in the
7 funds which will be forfeited to the United States .

8 5. Claimant Moss agrees to accept the Taurus .40 S&W Pistol, holster, and
9 ammunition in "as is" condition.

10 6. Claimant Russell Moss hereby releases and forever discharges the United
11 States, the Drug Enforcement Administration , the United States Department of Justice,
12 their agents, employees, from any actions, causes of actions, suits, proceedings, debts,
13 dues, contracts, judgments, damages, claims, and/or demands whatsoever in law or equity
14 which claimant, heirs, successors, or assigns ever had, now have, or may have in the
15 future in connection the seizure, storage and forfeiture against the Taurus .40 S&W
16 Pistol, holster, and ammunition.

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28 STIPULATION TO WITHDRAW CLAIM TO \$3,785.00,
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(206) 553-7970

1 7. The parties agree to bear their own costs and attorney's fees.

2 DATED this 30th day of August, 2005.

3
4 Respectfully submitted,

5 JOHN McKAY
6 United States Attorney

7 /s/ Richard E. Cohen
8 RICHARD E. COHEN
9 Assistant United States Attorney
10 601 Union Street, Suite 5100
11 Seattle, Washington 98101-3903
12 206-553-2242; fax 206-553-6934
13 Richard.E.Cohen@usdoj.gov

14 /s/ Russell Moss
15 RUSSELL MOSS
16 Claimant, Pro Se

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28 STIPULATION TO WITHDRAW CLAIM TO \$3,785.00,
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ORDER

This Stipulated Agreement to withdraw claim for \$3,785.00, the Forfeiture thereof, and the return the Taurus .40 S&W Pistol to Claimant Russell Moss is hereby approved.

DATED this 31st day of August, 2005.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Richard E. Cohen
RICHARD E. COHEN
Assistant United States Attorney
601 Union Street, Suite 5100
Seattle, Washington 98101-3903
206-553-2242; fax 206-553-6934
Richard.E.Cohen@usdoj.gov

/s/ Russell Moss
RUSSELL MOSS
Claimant, Pro Se

STIPULATION TO WITHDRAW CLAIM TO \$3,785.00,
THE FORFEITURE THEREOF, AND THE RETURN OF
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